REMARKS

Applicants respectfully request reconsideration of this application as amended. Claims 16-24 remain in the application. Claims 15, 17 and 20 have been amended. No claims have been canceled.

Rejections Under 35 U.S.C. § 103(a)

Claims 15-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,548,753 of Lindstead et al. ("Lindstead").

Applicants respectfully submit that Lindstead is a passive system that writes a record into a predetermined storage location or table upon the occurrence of a predetermined event within a database system (column 7, lines 15-17). Lindstead further describes a daemon process that detects this record and, in response, automatically informs a supervisor that the purchase order is awaiting attention. The daemon process processing system automatically prepares an electronic mail message and conveys the electronic mail message to the supervisor to provide an indication of the occurrence of the event. (See Figure 1; column 7, lines 29-47).

The Office Action mailed January 9, 2004, states "Linstead further doesn't expressly show that the status information retrieval means retrieves the status information from a common carrier information system. However these differences are only found in the nonfunctional descriptive material and are not functionally involved in the functionality of the status information retrieval means, i.e. the later would perform the retrieval of the status information regardless of the "information system" or the database system. Thus, the presence of term "common carrier information system" is interpreted as non functional descriptive material and it will not distinguish the claimed invention from the prior art in terms of patentability."

Applicants respectfully disagree with the assertion that the claimed element of a common carrier information system is nonfunctional descriptive material. Rather, the common carrier information system performs the function of maintaining the status of information relating to an event (e.g., a commerce-related or other event), as claimed and supported by the specification. Even if the common carrier information system were considered to be nonfunctional descriptive material, which the Applicants strongly deny, Applicants respectfully submit that the common carrier information system is nonetheless claimed in combination with the functional descriptive material of a update processing and transmission system comprising a status information retrieval means. Therefore, claim 15 includes the functional and structural interrelationship to satisfy the requirements of 35 USC §101 [see MPEP §2106(IV)(B)(1)(b)].

Furthermore, Applicants respectfully submit that Linstead does not disclose or suggest each and every element of claim 15, as amended. Specifically, Linstead does not disclose or suggest a status query means for automatically requesting status information relating to an event from an information system via a network, as claimed. Rather, the daemon process disclosed in Linstead, simply checks whether a database has been updated and does not proactively seek the status of an event (e.g., a commerce-related or other type of event) from an information system (e.g., a common-carrier information system or any other type of information system). In one exemplary embodiment of the claimed invention, a status query might be sent to a common carrier information system, such as Federal Express or United Parcel Service (UPS), via a network to check the status of a shipment.

One advantage of the claimed system and method is that it may result in higher customer loyalty because customers are kept well informed of the status of their orders or shipments without manually checking the status of a commerce-related event. Moreover, since the cost of electronic mail transmissions is extremely low, the claimed system and

method may lower costs for merchants or shippers to provide status information to their customers.

Accordingly, Applicants respectfully submit that Lindstead does not disclose or suggest each and every element of claim 15. Claim 20 includes elements similar to those recited in claim 15 including automatically receiving status information relating to a commerce-related event *in response to a status query* to a common carrier information system. Therefore, claim 20 is patentable, at least for the reasons stated above. The remaining claims are dependent (directly or indirectly) on one of the claims 15 and 20. Therefore, Applicants respectfully request the rejections to claims 15-24 under 35 USC §103(a) be withdrawn.

If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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